

## Building a Sustainable Crowdfunding Model: Application of Maqashid Shariah in Collecting Infaq, Alms and Waqf in the Digital Era

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**Abstract:** the implementation of infaq, sedekah and waqf crowdfunding in the perspective of Maqāshid sharia, especially in the digital era, has now experienced an increase in reach and transparency so that it becomes an innovative fundraising model in the context of Islam. The purpose of this study is to explore the relevance of Maqāshid sharia, especially in maintaining religion (ḥifz al-dīn), soul (ḥifz al-nafs), reason (ḥifz al-'aql), descendants (ḥifz al-nasl) and property (ḥifz al-māl) as a guideline in formulating a more effective, efficient, and equitable management model for infaq, sedekah and waqf crowdfunding and to explore more deeply the mafsadat and mudharat of maqashid sharia in infaq, sedekah and waqf crowdfunding. This study uses a library method by analyzing various relevant literature sources. The results of the study indicate that when crowdfunding infaq, sedekah and waqf is carried out in accordance with the principles of maqāshid sharia, it can become an innovative and sustainable model in managing social funds. In addition, when there is misappropriation in the management process, it will trigger mafsadat and mudharat which will result in failure to realize the welfare of the community. The author's recommendation based on this study is to improve the system with a basis of transparency, regulation, and education based on maqāshid sharia. In addition, solid collaboration between the government, platforms, and Islamic financial institutions is very necessary in order to encourage the realization of a sustainable ecosystem.

**Keywords:** Crowdfunding; Maqāshid Sharia; Islamic Philanthropy.

## Introduction

This study explores the growing trend of fundraising based on zakat, infaq, sedekah, and waqf through crowdsourcing platforms, a subject that has attracted significant interest from researchers. Previous studies, including those conducted by Syamsuri et al. (2023), have examined the feasibility of using crowdfunding as a contemporary method for raising waqf funds, primarily focusing on the sharia principle of maqāṣid sharia, specifically *hiḏ al-māl*. The literature review concluded that waqf crowdfunding is in line with this principle to achieve the welfare of the community. Another study by Agung Kurniawan and Hamsah Hudaf (2021) on maqāṣid al-mukallaf in the book *Al-Muwafaqat*. This study found that maqāṣid sharia is divided into 2 categories: God's purpose (maqāṣid sharia) and human purpose (maqāṣid sharia). Although recognizing the importance of previous studies in explaining the concept of donation, alms and waqf crowdfunding from an Islamic perspective, this research is unique in its comprehensive analysis of the implementation of donation, alms and waqf crowdfunding. This analysis integrates Maqāṣid sharia principles with empirical data originating from crowdfunding platforms, thereby offering a new and comprehensive perspective on this subject.

The initial assumption of this research on crowdfunding, if carried out in accordance with the principles of maqāṣid al-mukallaf, can be an innovative and sustainable solution in managing social funds in accordance with Islamic law.<sup>1</sup> This model has the potential to improve individual welfare and build a more inclusive and sustainable Islamic economic framework. This study aims to explore the application of the principles of maqāṣid sharia, including protection of religion, soul, mind, descendants, and property, in developing a more effective, efficient, and equitable model in managing crowdfunding for donations, alms, and waqf, especially in the context of fundraising through digital platforms.

This study will also discuss in more detail how the principles of Maqāṣid sharia, such as preserving religion, soul, mind, lineage, and property, can be used as guidelines in formulating a more effective, efficient, and equitable fund management model. This study will explore the application of Maqāṣid al-mukallaf in the context of crowdfunding for donations, alms, and waqf, with a focus on the use of digital platforms in fundraising. This study will explore the nuances of maqāṣid sharia in the realm of crowdfunding, especially those related to alms, zakat, and waqf. Although this system has many benefits, it is important to be aware of the challenges that must be faced to ensure its effective and

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<sup>1</sup> 'Iqbal, M. (2019). Maqasid Syariah Sebagai Dasar Paradigma Ekonomi Islam. *Jurnal Hikmah*, Vol. 16, Hal. 47-58.', n.d

equitable implementation. Although this concept is said to support the interests of society, this depends on various factors, including the level of community participation during the fundraising process, the level of credibility of the distribution of social funds, and the transparency aspect. If fraud occurs, especially in the context of management, the basic principles of maqashid sharia in crowdfunding infaq, alms and waqf will be disturbed, giving rise to mafsadat and harm which directly conflict with maqashid sharia itself. When the sharia maqashid system in crowdfunding infaq, alms and waqf does not work effectively, the main consequence is that the benefit of the people cannot be realized.

The validity of this statement is further strengthened by the research findings of Muhammad Noor Sayuti (2018) in his journal entitled e-money reviewed from the dimensions of maqāshid sharia, which confirms that e-money products are in accordance with maqāshid sharia, especially in the context of hifz al-māl (protection of property) which of course is accompanied by various benefits (maṣlahah). However, it is important to note that this system is not without its shortcomings, especially with the existence of consumerism and social inequality that can lead to waste (israf). Therefore, it is very important that all financial products are managed in a transparent and trustworthy manner to ensure that they not only serve worldly purposes but also have worship value and contribute to eternal happiness.<sup>2</sup>

This research aims to answer this gap by analyzing the implementation of crowdfunding donations, alms, and waqf in the perspective of sharia maqāshid. The main purpose of this research is to further examine how crowdfunding donations, alms, and waqf in the digital era are analyzed in the study of sharia maqāshid so that the system can run by upholding the principles of justice, transparency, and the benefit of the people. In addition, this research will delve deeper into the mafsadat and mudharat of sharia maqāshid in the context of crowdfunding donations, alms, and waqf.<sup>3</sup> Despite the fact that this system has the capacity to promote community welfare, there are shortcomings that pose risks if not accompanied by sharia-based management. This gap manifests as the mafsadat and mudharat of the Sharia Maqāshid of crowdfunding infak, alms, and waqf. The purpose of this research is twofold: first, to explore the potential benefits of crowdfunding infak, alms, and waqf in realizing sharia goals; and secondly, to analyze more in detail the mafsadat and its harm, so that with this research it is hoped that it can encourage the growth of solution efforts in the

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<sup>2</sup> Muhammad Noor Sayuti, 'E-Money Ditinjau Dari Dimensi Maqāshid Al-Syarī'ah, *Jurnal Al Qardh* No. 5 (2018).

<sup>3</sup> Moh. Ulumuddin, 'Analisis Securities Crowdfunding dalam Perspektif Maqashid Al-Syari'ah', *Jurnal STAI AT-TAHDZIB* Vol. 12 (30 September 2024).

crowdfunding management model of endowment, charity and waqf based on Maqāṣid Syariah. The writer's purpose is to increase the capacity of the system in empowering the community as much as possible.

The results of Feri Irawan's research (2023) in his journal entitled Utilization of Sharia Crowdfunding for Sustainable Social and Economic Project Financing in Sumbawa Regency. At the end of the discussion, an outline was obtained if sharia crowdfunding was considered very effective as a medium for improvement, especially in the context of financing MSMEs or social projects that are sustainable in nature. In fact, this concept is also very popular with the public because of the efficiency of its concept. Its other advantages lie in the transparency and fair system that is being carried out, although the technicalities still encounter obstacles in the form of regulations and minimal public education. Thus, a solution is needed in the form of integrated collaboration between the government, crowdfunding platforms, and the community as an effort to achieve a sustainable and inclusive fundraising ecosystem. The novelty of this research lies in the core point of the discussion where my research study emphasizes the integration aspect of maqāṣid sharia in infaq, sedekah, and waqf crowdfunding as a sustainable model where this can be realized when there is an application of procedures based on sharia principles. Without regularity with sharia maqāṣid, it can trigger mafsadat and harm which indirectly impact the benefit of the people which fails.<sup>4</sup>

### **Method's**

This study is an analytical investigation of the concept of crowdfunding, alms and waqf donations in the context of Islamic sharia based on Maqashid Syariah, using library research as a methodological framework. This approach was chosen based on the analysis of various sources of literature related to the research topic, including books, journals, articles, official documents, and other publications. The focus of this research study will also highlight the damage to the management of Islamic social funds based on crowdfunding, donations, alms, and waqf against Maqāṣid Syariah.

### **The Concept of Crowdfunding in Islam**

Crowdfunding can be defined as the process of raising public funds online to secure monetary resources, either in the form of donations without expectation of compensation or in return for gifts or participatory rights, with the

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<sup>4</sup> Feri Irawan, Pemanfaatan Crowdfunding Syariah Untuk Pembiayaan Proyek Sosial Dan Ekonomi Berkelanjutan di Kabupaten Sumbawa, Jurnal Pengabdian Dosen dan Mahasiswa Vol. 3, No. 1, (April 2024) 47-51.

aim of achieving specific objectives. Furthermore, crowdfunding can be regarded as an innovative and effective fundraising model with applications in a variety of fields, including social and religious activities.<sup>5</sup> Crowdfunding in Indonesia serves a variety of purposes, primarily addressing financial gaps in education, small and medium enterprises (SMEs), and social causes. It has emerged as a modern financing alternative, utilising technology to connect fundraising with potential supporters. Crowdfunding provides a solution to the lack of education funding in Indonesia, where the government budget is insufficient.<sup>6</sup>

Crowdfunding in Islam adheres to Sharia principles, avoiding elements such as maysir (speculation), gharar (uncertainty), and riba (interest). It utilises a profit-sharing mechanism as an alternative to interest, employing contracts such as Musyarakah, Musahamah and Sukuk Mudharabah to ensure compliance with Islamic law. Despite these advantages, the field of Islamic crowdfunding is confronted with challenges, including regulatory inconsistencies and limited public financial literacy. To address these issues, concerted efforts must be made to enhance societal understanding and compliance.<sup>7</sup> The findings of this study demonstrate a congruence with the results previously reported by Muhammad Noor Sayuti. In his research, Sayuti asserts that Baznas, a programme designed to enhance the financial capacity of mustahik, confronts challenges such as diminished income, buyer debt obligations, and inadequate financial administration. Consequently, concerted endeavours are imperative to sustain its visibility and reputation in the public eye.<sup>8</sup>

Crowdfunding can be traced back to historical periods preceding the advent of the internet, with notable instances including the fundraising efforts for the Statue of Liberty in 1885. However, the contemporary manifestation of crowdfunding, characterised by the utilisation of online platforms and a variety of funding models, emerged by the close of the 20th century,<sup>9</sup> this evolution was especially marked between 2008 and 2009. The financial crisis had a significant influence on this evolution, encouraging a shift towards alternative financing

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<sup>5</sup> Ying Li, Hongduo Cao, Tengjuan Zhao, 'Factors Affecting Successful Equity Crowdfunding', *Journal of Mathematical Finance* Vol.8 No.2 (Mei 2018).

<sup>6</sup> Novi Wulandari Wahyu Pasadani, and Rina Rusdiana, 'Crowdfunding Sebagai Alternatif Pembiayaan Pendidikan Di Indonesia: Analisis Dan Rekomendasi', *MES Management Journal (Masyarakat Ekonomi Syariah Bogor)* Vol. 3 (16 July 2024).

<sup>7</sup> Moh. Ulumuddin, 'Analysis of Securities Crowdfunding from the Perspective of Maqashid Al-Shari'ah'.

<sup>8</sup> Anisa, Z-Mart Baznas Program In Improving Mustahik's Economic Welfare, *ASSETS*, Vol 14, No 1, (June 2024)

<sup>9</sup> Rocholl, J, 'An Introduction to Crowdfunding.' Vol. 14 (1 January 2016).

methods. The following section outlines the historical and contemporary aspects of crowdfunding.<sup>10</sup>

The purpose of crowdfunding is to provide an alternative source of funding for projects in libraries, especially in the face of budget cuts. This allows for fundraising through donation campaigns, utilising information and communication technology to support the development of social projects in public and academic libraries.<sup>11</sup> The primary objective of crowdfunding in Indonesia is to enhance the accumulation of contributions for individuals encountering accidents or adversity. This endeavour fosters communal assistance through the utilisation of digital platforms. This mechanism enables project initiators to advocate for their concepts and secure financial resources without the necessity for direct interpersonal engagement.<sup>12</sup>

### **The Essence of Mufsadat and Mudharat Maqashid Syariah in Raising Alms, Charity and Waqf Funds**

From the perspective of Maqāshid al-mukallaf as expounded, it is evident that all forms of Islamic law are inherently driven by a fundamental purpose and objective: the creation of benefits (maslahah) and the mitigation of harm and damage that may befall individuals and society.<sup>13</sup> The nature of crowdfunding of infaq, sedekah and waqf renders this concept particularly urgent, as it is a more effective process, especially in terms of fundraising. The utilisation of digitalisation in this context has the potential to maximise efforts to empower the community.

However, it is imperative to acknowledge the inherent risks associated with every opportunity, including that of crowdfunding infaq, sedekah and waqf in Maqāshid Sharia in the absence of sharia-compliant management. Mafsadat can be defined as any action or system that causes harm or is in opposition to the principles of maqashid sharia, thereby hindering the realisation of the interests of the ummah. Mudharat, on the other hand, denotes the adverse effects or potential dangers that may ensue from a system that deviates from sharia principles. In the context of maqashid sharia, it is imperative to circumvent both

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<sup>10</sup> Armin Schwienbacher, 'Equity Crowdfunding and Capital Formation for Early-Stage Firms', *Skema Business School*, 1 January 2021.

<sup>11</sup> Rodolfo Gonzalez Matamoros, and Angie Pamela Torres Guillen, 'Crowdfunding Sebagai Alternatif Pendanaan Proyek Perpustakaan: Sebuah Peluang Dalam Menghadapi Pemotongan Anggaran', *Ilmu Informasi Elektronik* Vol. 12 No. 2 (1 July 2022).

<sup>12</sup> Cindy Fadilah Nasution, dkk, 'Pemanfaatan Aplikasi Kitabisa.Com Dalam Implementasinya (Crowdfunding) Di Indonesia', *Jurnal Ilmiah Universitas Trunojoyo Madura* Vol. 4 (Desember 2022).

<sup>13</sup> 'Muhammad Khalid Mas'ud, *Filsafat Hukum Islam: Studi Filsafat Hukum Islam: Studi Tentang Hidup Dan Pemikiran al-Syatibi*, (Bandung: Penerbit Pustaka, 1996), Cet. Ke-1, Hlm. 111.'

mafsadat and mudharat to ensure the establishment of a robust system that yields optimal benefits for the ummah.

From the standpoint maqashid sharia, the presence of infaq crowdfunding, almsgiving, and waqf can serve as innovative solutions, capable of promoting the interests of the ummah when managed effectively. However, when the supervisory function is lacking in terms of justice, transparency, and accountability, this system is susceptible to destruction, resulting in harm and damage that negatively impacts Muslims. Consequently, there is an imperative for risk prevention, optimisation of the supervisory function, and education on Islamic finance based on sharia principles. These measures are considered essential in ensuring that crowdfunding for donations, alms, and waqf genuinely aligns with the values of maqashid sharia

### **Crowdfunding Infaq, Charity and Waqf**

In essence, the practice of fundraising through infaq, sedekah, and waqf crowdfunding has emerged as a significant strategy to increase fundraising efforts in Indonesia. Various organisations have adopted innovative approaches to maximise contributions, especially through digital platforms and community engagement. The following section outlines the main strategies and impacts of infaq, sedekah, and waqf crowdfunding.<sup>14</sup> The significance of income, charity and waqf funds in empowering low-income communities is well-documented, with these funds playing a crucial role in supporting small businesses and providing training, thereby encouraging economic growth. This is in line with the research results of Izniyah et al., which stated that digital crowdfunding-based fundraising, one of which is Kitabisa.com, provides great convenience for donors, where this crowdfunding has a huge impact on supporting small businesses, thus encouraging economic growth.<sup>15</sup>

In order to comprehend the practice of crowdfunding for donations, alms and waqf in Indonesia, Egypt and Saudi Arabia, it is imperative to understand the context and the role played by the Organisation of Islamic Cooperation (OIC) in the development and application of this model. Crowdfunding of donations, alms and waqf, which integrates zakat, donations, alms and waqf, has emerged as an innovative tool for raising funds to support various social and economic programmes in OIC member countries. By utilising digital technology, this crowdfunding platform not only increases accessibility and community

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<sup>14</sup> Ahmad Muqorobin, and Mohammad Syifa Urrosyidin, 'Pengumpulan Dan Pengelolaan Ziswaf Untuk Kemakmuran Umat', *Jurnal Ekonomi, Manajemen, Dan Bisnis Islam UIN Walisongo Semarang* Vol. 4, Edisi: 2 (Oktober 2023): hal. 137-156.

<sup>15</sup> Izniyah, dkk, Tren Filantropi Modern: Inovasi dan Dampak Shadaqah Berbasis Digital pada Platform Crowdfunding Kitabisa.com, *KOMA : Jurnal Ekonomi, Manajemen, Akuntansi* Vol.3, No.2, Januari 2024, 497-513.

participation, but also strengthens transparency and accountability in the management of funds. The OIC's commitment to enhancing solidarity among member countries, promoting social welfare, and supporting sustainable development is further underscored by these endeavours. This is in line with the research results of Fetra Ardianto (2023) which states that so far the OIC has been able to carry out its role as a medium capable of overcoming the economic inequality that has befallen Islamic countries, for example in the case of Palestine, the case of Covid-19, etc.<sup>16</sup>The subsequent table provides a detailed overview of the practice of crowdfunding donations, alms, and waqf in three selected countries.

As demonstrated in the above table, the practice of crowdfunding for donations, alms and waqf in Indonesia, Egypt and Saudi Arabia varies in terms of programme focus, funding model and social impact. Specifically, in Indonesia, the emphasis is placed on the empowerment of MSMEs and the alleviation of poverty. In Egypt, the primary focus is on education and community development. Conversely, in Saudi Arabia, the emphasis is on humanitarian aid and infrastructure development. These variations in focus reflect the distinct social and economic contexts of each nation.

The practice of infaq (donation), sedekah (almsgiving) and waqf (endowment) crowdfunding in Indonesia, Egypt and Saudi Arabia demonstrates considerable potential in supporting social and economic programmes that are aligned with the objectives of the Organisation of Islamic Cooperation (OIC). These three countries, as active members of the OIC, are leveraging the infaq, sedekah and waqf crowdfunding platform to enhance financial inclusion, empower communities and address socio-economic challenges. The integration of crowdfunding for donations, alms and waqf not only provides innovative solutions for fundraising but also strengthens solidarity and social care among Muslim communities. The optimisation of this initiative through collaboration with the OIC has the potential to achieve a more significant impact on the welfare of communities in member countries. This is in line with research conducted by Muflihul Fadhil, et al. (2024) which states that the positive impact of OIC-based collaboration is welfare as well as providing an understanding of the urgency of financial literacy in order to realize global sharia economic growth by referring to cooperation between member countries.<sup>17</sup>

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<sup>16</sup> Fetra Ardianto, Efektivitas Peran Organisasi Kerjasama Islam (Oki) Dalam Menurunkan Ketimpangan Ekonomi Di Negara-Negara Islam, *Bhuvana: Journal of Global Studies* Vol. 1, No. 2 (2023), 161-184.

<sup>17</sup> Muflihul Fadhil, Perbandingan Kebijakan Ekonomi Syariah di Negara-Negara Islam, *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial* Vol 1, No. 12, (July 2024), 183-193.

### **Crowdfunding: Donations, Alms, and Waqf and their Relevance to the Maqasid Al-Shariah**

Despite the modern origins of the concept of crowdfunding, the principles of collective fundraising and transparency can be traced back to Islamic values such as mutual cooperation, justice, and trust. The prospect of examining the application of Maqasid Sharia, or the Five Pillars of Islamic Law, as outlined in *Book al-Muwafaqat* in the context of modern crowdfunding practices, particularly in the realm of donations, alms, and waqf, offers a compelling avenue for exploration. *fz al-Nafs*), reason (*Hifz al-‘Aql*), progeny (*Hifz al-Nasl*), and property (*Hifz al-Mal*). The practice of crowdfunding donations, alms, and waqf is therefore seen as a means of safeguarding these five principles, which are emphasised as the foundation of Islamic law in the book *al-Muwafaqat*. As posited by *al-Muwafaqat*, the five principles of *fz al-Nafs* (reason), *Hifz al-‘Aql* (progeny), *Hifz al-Nasl* (property), and *Hifz al-Mal* (property) are considered the cornerstones of Islamic law. The aforementioned text emphasises the significance of these principles in the context of Islamic legal theory and practice, particularly with regard to the concept of waqf (endowment). This is in line with the results of research conducted by Dewi Nuril Afifah et al. (2024) where the results of the study stated that Maqashid Syariah is very urgent considering its position in human life where it is a medium that provides facilities in the form of appropriate understanding based on Islamic law with its nature that is relevant to current societal conditions.<sup>18</sup>

The Qur'an, as the foundational text for human life, comprises a broad array of teachings, which scholars have categorised into three primary segments: *aqidah* (belief), *akhlak* (character), and *syariat* (sharia). The concept of *aqidah* pertains to the tenets of faith, while *akhlak* encompasses ethical principles and moral values. *Syariat*, meanwhile, encompasses the legal framework derived from the words (*aqwal*) and deeds (*af'al*) of Allah SWT. In the context of the Islamic legal system, sharia is divided into two main parts: *worship* (*habl min Allah*), which regulates the relationship between humans and their God, and *muamalah* (*habl min al-nas*), which regulates relationships between humans. In the context of ZISWAF crowdfunding, the principle of *Hifz al-Mal* is very relevant. Its application includes fairness and transparency in fund management, adequate risk management for investors, and ensuring halal investments, all of which is in line with the principles of *al-‘adl* (justice) and *al-bayan* (clarity) in the Book of *al-Muwafaqat*. Furthermore, *infaq*, *sedekah* and *waqf* crowdfunding have the potential to contribute to *Hifz al-Nasl* through their social benefits,

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<sup>18</sup> Dewi Nuril Afifah, Danik Firdania, Asyifa Ridha Septiana, Renny Oktafia, Maqashid Syariah Sebagai Tujuan Ekonomi Islam, *Economics And Business Management Journal (EBMJ)*, Vol. 3| No. 1, (Februari 2024), 265-269.

including the support of education, health and community welfare projects, as well as the encouragement of economic development and employment. The principle of *Ḥifz al-‘Aql* is fulfilled through support for research and innovation projects.

It is asserted that the practice of crowdfunding donations, alms, and waqf has the potential to serve as an effective instrument in the realms of economic development, social welfare, and scientific advancement, provided that it is executed in accordance with the principles of *maqāṣid syariah* as delineated in the Book of *al-Muwafaqat*. The implementation of these principles is predicated on the principles of fairness, transparency, and the facilitation of benefits for all parties involved.

Crowdfunding of donations, alms and waqf involves the implementation of creative programmes for the purpose of fundraising. For example, platforms such as ZISWAF.id and Kitabisa.com offer various fundraising campaigns with the objective of attracting muzaki (donors) to contribute voluntarily. On these platforms, institutions managing donations, alms and endowments are able to create campaign pages that display programme details, fundraising targets and fund distribution plans. The funds raised are then selectively distributed to various sectors, such as education, humanitarian, social and economic, according to the programme being run. Both ZISWAF.id and Kitabisa.com enable institutions that manage infaq, sedekah and waqf to reach donors more widely, facilitate the donation process (with various payment methods available), and increase transparency in fund management through reporting features and regular updates available on the platform. The utilisation of these platforms offers a contemporary and efficient approach to the collection and distribution of donations, alms and waqf, with the support of digital payment platforms and a commitment to sharia principles. The potential exists for crowdfunding of donations, alms and waqf to become an effective solution in improving community welfare.<sup>19</sup>

The utilisation of donations, alms and waqf, based on *Maqashid al-Khams*, is as follows: first, to maintain the existence of religion (*hifzh al-din*) through the construction of mosques, financing of preachers, printing and distribution of the Qur'an and religious books, the organisation of religious training, and the construction of waqf-based schools. Secondly, the preservation of the mind (*hifzh al-'aql*) is to be facilitated by the establishment of centres for the development of thought and skills, the provision of support for gifted children, the organisation of scientific competitions, the establishment of research

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<sup>19</sup> ‘Ubabuddin, Umi, Peran Zakat, Infaq Dan Shadaqah Dalam Kehidupan, *Jurnal Ilmiah Al-Muttaqin*, Vol. 6 No. 1, (2021), Hal.60-76’, n.d.

centres, the leadership of schools, Islamic media centres, and libraries. Thirdly, the preservation of the existence of the soul and descendants (hifzh al-nafs and hifzh al-nasb) is to be facilitated through the provision of assistance with wedding expenses, the organisation of pre-marriage courses, the delivery of legal, social and health consultations for newly married couples, and the provision of health training for pregnant women. Fourthly, the preservation of the existence of property (hifzh al-mal) is to be achieved through the establishment of factories and the employment of Muslims.

In his book *Al-Muwafaqat*, Imam As-Shatibi expounds the doctrine that Islamic law is established for the benefit of humanity on three levels: *dharuriyyat* (primary), *hajiyyat* (secondary), and *tahsiniyyat* (tertiary). Within the context of the collection of funds for donations, alms and waqf, this concept plays a role in ensuring that the collection and distribution of funds is in accordance with sharia objectives.<sup>20</sup>

The fundamental principle that underlies the practice of crowdfunding for donations, alms, and waqf, as elucidated by Imam As-Shatibi, is the concept of *istiqra'*,<sup>21</sup> This is an inductive approach to understanding Islamic maqashid. This approach delineates crowdfunding for donations, alms and waqf as instruments that support the maintenance of the five main aspects of Islamic maqashid, namely *hifz ad-din* (preserving religion), *hifz an-nafs* (preserving the soul), *hifz al-aql* (preserving reason), *hifz an-nasl* (preserving the offspring), and *hifz al-mal* (preserving wealth).<sup>22</sup> The utilisation of digital platforms for fundraising can facilitate public access to fulfilling zakat, infaq, sedekah, and waqf obligations, thereby supporting social welfare and reducing economic inequality.

In *Al-Muwafaqat*, Imam As-Shatibi also emphasised that sharia laws must consider human capabilities and evolving social situations. Therefore, digital-based crowdfunding of donations, alms, and waqf is a form of modernisation in the implementation of Islamic teachings that are still based on sharia maqashid. The model is characterised by transparency, fairness, and targeted distribution, which collectively reflect the principle of *maslahah* (beneficence), representing the fundamental objective of Islamic law.

The utilisation of crowdfunding for donations, alms, and waqf is predicated on the notion of economic equality grounded in Islamic values, thereby embodying the spirit of *ta'awun* (mutual assistance) and maqashid sharia. This concept not only addresses the immediate needs of those in poverty but also fosters long-term economic development and social justice. This model

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<sup>20</sup> *Abu Ishaq Al-Syathibi, al-Muwafaqat Fi Ushul al-Syari'ah, Juz II, h. 7.*

<sup>21</sup> *Abu Ishaq Al-Syathibi, al-Muwafaqat Fi Ushul al-Syari'ah., h. 19.*

<sup>22</sup> Fahmi. R, Firdaus, 'Pemikiran Imam Al-Syatibi Tentang Maqashid Al-Syariah'.

also contributes to the optimisation of sharia-based MSME businesses with an easily accessible digital fundraising system.

The fundamental nature of crowdfunding will also serve to reinforce Islamic philanthropy, thereby facilitating the evolution of the concept of productive waqf. This will encompass the establishment of sustainable assets, including sharia-compliant schools and hospitals. By cultivating the principles of transparency and structured management, this system has the potential to catalyse a more inclusive and sustainable Islamic financial ecosystem.

### **Benefits and Harms of Maqashid Syariah imamin Crowdfunding, Infaq, Alms and Waqf**

In the context of Islamic law, concept of maqāsid syariah is of particular significance. This concept emphasises that Islamic law is designed with the primary objective of creating benefits and minimising the possibility of harm (mafsadat) to mankind. The concept of maqasid al-mukallaf in crowdfunding for donations, alms and waqf is predicated on a noble purpose, namely the optimisation of community welfare through the raising and distribution of social funds in accordance with sharia principles.<sup>23</sup> This is in line with the research results of Nurfalah (2023) which states that fintech digitalization innovation is actually a basic thing that occurs in this digitalization era where the Islamic financial industry has switched to following digital innovations as a form of easy access for the public to Islamic financial services.<sup>24</sup> However, it must be acknowledged that the system of crowdfunding for donations, alms and waqf also presents certain challenges in terms of the obstacles to the achievement of the objectives of sharia itself, particularly in instances where the management is not adequate. The following are some of the problems and disadvantages that have the potential to arise in this system. The following provides a more comprehensive explanation:

#### **Lack of Transparency and Accountability**

The primary challenge encountered when undertaking crowdfunding for donations, alms, and waqf is the absence of transparency in the management of funds. It is imperative that detailed and lucid data regarding the amount of

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<sup>23</sup> Nida Rafiqah Izzati et al., "(Journal of Legal Studies)," *Anayasa: Journal of Legal Studies* 2, no. 1 (2024): 93–100.

<sup>24</sup> Irfan Nurfalah dan Aam Slamet Rusydiana, Digitalisasi Keuangan Syariah Menuju Keuangan Inklusif: Kerangka Maqashid Syariah, Ekspansi: Jurnal Ekonomi, Keuangan, Perbankan dan Akuntansi Vol. 11, No. 1 (Mei 2019), Hal. 55 – 76

funds, their collection, distribution, flow, and utilisation be conveyed.<sup>25</sup> Trust is of the essence in this context; therefore, its absence can result from an absence of structured implementation. Within the framework of *maqashid sharia*, this stands in direct opposition to the principle of *ḥifẓ al-māl* (protection of property). The latter necessitates the secure management of funds, which is inherently transparent.

### **Risk of Misuse of Funds (Fraud and Embezzlement)**

It is evident that instances of fund misuse, as evidenced by numerous occurrences on Indonesian fundraising platforms, underscore the critical importance of an effective crowdfunding monitoring system. The absence of such a system can lead to the diversion of funds intended for social causes, thereby compromising the intended purpose of these funds.<sup>26</sup> This predicament is likely to culminate in the erosion of public confidence. Within the context of *maqashid sharia*, principles of *ḥifẓ al-dīn* (upholding religion) and *ḥifẓ al-māl* are in direct opposition to the occurrence of fraud within the ambit of a non-profit organisation. Such malfeasance can inflict irreparable damage to the organisation's reputation, precipitating an immediate loss of donor trust. This underscores the critical importance of reputation management in fund management organisations.<sup>27</sup>

### **Regulations that have not yet fully accommodated**

The regulatory framework governing crowdfunding for donations, alms, and *waqf* is a dynamic and evolving field. It has yet to offer the level of protection desired by donors and beneficiaries, thus giving rise to concerns regarding the practices of *gharar* (uncertainty), *maysir* (speculation), and usury, which, collectively, are considered to be in violation of *sharia* principles. The overarching objective of the regulatory framework is to ensure legal and

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<sup>25</sup> Rusdi Hamka Lubis and Fitri Nur Latifah, "Analisis Strategi Pengembangan Zakat, Infaq, Shadaqoh Dan Wakaf Di Indonesia," *Perisai: Islamic Banking and Finance Journal* 3, no. 1 (2019): 45–56.

<sup>26</sup> S Rahmida and M Ridwan, "Analisis Pengelolaan Ziswaf Untuk Meningkatkan Kesejahteraan Masyarakat Dibidang Ekonomi: Studi Kasus Ybm Pln Uid Wilayah Sumatera Utara," *Transformasi: Journal of Economics and Business Management* 2, no. 4 (2023), [mg.ac.id/index.php/Transformasi/article/download/1155/1038](http://mg.ac.id/index.php/Transformasi/article/download/1155/1038).

<sup>27</sup> Erfan Muhammad, Fitri Ahmad Kurniawan, Enur Hotimah, Ahmad Hanafi, 'Fraud Dalam Industri Keuangan Syariah: Eksplorasi Literatur, *Jurnal Ekonomi Syariah Pelita Bangsa*, Vol. 08 No. (02 Oktober 2023).

governmental protection, thereby safeguarding the rights of donors and beneficiaries.<sup>28</sup>

### **Fictitious Campaigns and Fraud**

The present age is characterised by the rapid development of digital technologies, which has given rise to a proliferation of cybercrime. Individuals of a dishonest disposition have identified this as a lucrative opportunity, exploiting the prevalence of crowdfunding platforms to launch fictitious campaigns that serve as a vehicle for personal gain.<sup>29</sup> In the context of maqashid sharia, perspective is in direct opposition to the principle of *ḥifz al-nafs* (preserving the soul), as it is detrimental to society and results in the loss of justice.

### **Minimal Islamic Financial Literacy**

A dearth of public comprehension regarding the administration of Sharia-compliant social funds may culminate in erroneous decisions when selecting crowdfunding platforms adhering to the tenets of Maqāṣid sharia. Consequently, the dissemination of data to an inappropriate destination hinders the attainment of the desired outcomes for the ummah.<sup>30</sup>

### **Verification of Beneficiaries**

The beneficiary verification process is of paramount importance in ensuring the judicious allocation of funds from donations, alms, and waqf.<sup>31</sup> This assertion underlies the imperative for a thorough verification process to ascertain the identity, economic status, and eligibility of the beneficiary in accordance with Sharia principles. This procedure is undertaken to ensure the optimal utilisation of funds by the intended recipients.

### **System Disruption**

Technical malfunctions on crowdfunding platforms are a frequent occurrence, manifesting as system errors, transaction failures, or hacking. These

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<sup>28</sup> Jefry Tarantanga, Ibnu Elmi A.S. Pelub, Wahyu Akbarc, Rahmad Kurniawan d, Aldina Sri Wahyunie, *Perlindungan Hukum Terhadap Nasabah Bank Dalam Transaksi Digital, Morality: jurnal ilmu hokum*, Volume 9, Nomor 1, (Juni 2023).

<sup>29</sup> Rahmida and Ridwan, "Analisis Pengelolaan Ziswaf Untuk Meningkatkan Kesejahteran Masyarakat Dibidang Ekonomi: Studi Kasus Ybm Pln Uid Wilayah Sumatera Utara."

<sup>30</sup> Wahyu Akbar, Jefry Tarantang, Noor Misna, *Filantropi Islam (Regulasi Dan Implementasi Zakat Di Indonesia)*, K-Media Yogyakarta, 2021

<sup>31</sup> Nurhalima Nurhalima, Muslihati Muslihati, and Trisno Wardy Putra, "Implemenasi Sistem Sharia Crowdfunding Terhadap Efektivitas Penghimpunan Dana Zakat, Infaq Dan Shadaqah (Studi Pada Wahdah Inspirasi Zakat Kota Makassar)," *Islamika* 6, no. 2 (2024): 681–698.

issues can significantly impede fundraising efforts and the distribution of funds.<sup>32</sup> It is evident that the distribution of aid is subject to delay, and there is a concomitant decline in the level of trust amongst donors.

### **Element Of Uncertainty (Gharar)**

In the context of crowdfunding, where distribution is not transparent, the element of gharar, otherwise known as the lack of clarity, may potentially result in the misuse of funds, misdirected distribution and recipient uncertainty.<sup>33</sup> Should this be left unchecked, there is a high probability of damage to donor confidence and hindrance to the development of Islamic philanthropy.

The advantages of crowdfunding for donations, alms, and waqf are twofold. Firstly, it has the potential to enhance the social welfare of communities. Secondly, it can contribute to the comprehensive and sustainable empowerment of the community's economy.<sup>34</sup> Digitalisation has facilitated the effective innovation of donation management, enabling the collection and distribution of donations in a more widespread and efficient manner, characterised by transparency. The crowdfunding model of infaq (donation), sedekah (almsgiving), and waqf (endowment) facilitates the contribution of individuals to sharia-based social and economic projects that support the empowerment of the ummah (community), including small business development, construction of public facilities, and sustainable productive waqf. In a broader context, the spirit of mutual cooperation and ta'awun in Islam is encouraged, thus promoting the realisation of inclusive philanthropy with a broad impact on society.

The following example illustrates a case of a crowdfunding mafsadat that occurred in Indonesia. The case under discussion is that of the philanthropic organisation Aksi Cepat Tanggap (ACT).<sup>35</sup> The present case reached a critical juncture when the founder and leader of the institution was suspected of misappropriating funds collected from the public as a form of participation in a social programme. This was followed by the case of Cak Budi, a social activist who was revealed to have misused crowdfunding funds for personal gain,

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<sup>32</sup> Ana Toni Roby Candra Yudha, *Fintech Syariah: Teori Dan Terapan* (Surabaya: Scopindo Media Pustaka, 2020).

<sup>33</sup> Nurul Hakim Monica Sanli Putri, "Pertanggungjawaban Hukum Penggalangan Dana Secara Daring Terhadap Sistem Donation Based Crowdfunding Menurut Hukum Islam Dan Hukum Positif Indonesia," *JURNAL NOTARIUS Program Studi Kenotariatan Pascasarjana UMSU* 1, no. 22 (2022): 73–83.

<sup>34</sup> Monica Sanli Putri, "Pertanggungjawaban Hukum Penggalangan Dana Secara Daring Terhadap Sistem Donation Based Crowdfunding Menurut Hukum Islam Dan Hukum Positif Indonesia."

<sup>35</sup> Perspektif Maqashid Syariah et al., "Analisis Kontroversi Aksi Cepat Tanggap Berdasarkan," *Jurnal Indonesia : Manajemen Informatika dan Komunikasi (JIMIK)* 5, no. 3 (2024): 2484–2495.

causing widespread anxiety and unease among the public.<sup>36</sup> The aforementioned cases illustrate that transparency, accountability, and legality are of paramount importance in the management of crowdfunding funds for donations, alms, and waqf, wherein they serve as intermediaries that facilitate public trust and ensure the judicious allocation of funds to those in need.

### **Model of Crowdfunding for Zakat, Alms and Waqf Crowdfunding for Zakat, Alms and Waqf**

Charity is a highly commendable maqashid ruhiyah, with the purpose of strengthening the faith and piety of Muslims towards their god. This practice brings servants closer to the Creator, and is a form of sincere devotion and obedience. Islam strongly encourages charity, not just as a ritual worship, but as a form of social concern that brings blessings in this world and the hereafter. The fundamental purpose of almsgiving and charity is to purify the soul, cultivate a sense of empathy and solidarity, and foster spiritual connection with Allah SWT through obedience and compliance with divine directives. This objective represents the pinnacle of all acts of kindness. This is in line with the results of research conducted by Muhammad Iman Kurniawan and Dwi Karunia (2023), where the results of the research stated that facilitates the distribution of wealth by enabling individuals to contribute to social projects, aligning with the Sharia Maqashid goal of safeguarding wealth and promoting social justice.<sup>37</sup>

### **Conclusion**

Crowdfunding of donations, alms, and waqf represents a novel approach to fundraising. This concept has been implemented on a global scale, with examples including Egypt, Saudi Arabia, and Indonesia. Leveraging digital technology, crowdfunding infaq, alms, waqf has demonstrated its efficacy in terms of finance, transparency, and effectiveness, particularly in the distribution of funds for social purposes such as economic empowerment, education, health, and sustainable infrastructure development. From the standpoint of Maqashid Syariah, the practice of crowdfunding Zakat, Infaq, and Wakaf exhibits a complete alignment with Islamic principles, encompassing *ḥifẓ al-dīn*, *ḥifẓ al-nafs*, *ḥifẓ al-‘aql*, *ḥifẓ al-nasl*, and *ḥifẓ al-māl*. These principles are reflected in various applications, including mosque construction, provision of education,

<sup>36</sup> Hana Faridah Ahmad Ghazali, "Analisis Hukum Terhadap Penipuan Dengan Modus Donasi Online Berdasarkan Undang-Undang Nomor 19 Tahun 2016," *Jurnal Ilmiah Wahana Pendidikan* 9, no. 23 (2023): 50–59.

<sup>37</sup> Muhammad Iman Kurniawan and Dwi Karunia Arti, "El-Iqtishady: Jurnal Hukum Ekonomi Syariah Crowdfunding Wakaf Di Tinjau Dari Maqashid Syariah Menurut Imam Syatibi," *El-Iqtishady: Jurnal Hukum Ekonomi Syariah* 5, no. 2 (2023): 207–219.

health assistance, and sustainable Sharia-based productive investment. Conversely, the implementation of zakat, infaq, and waqf can also result in mafsadat and mudharad, as evidenced by factors such as a lack of transparency and accountability, the risk of fund misuse (fraud and embezzlement), regulations that have not been fully accommodated, fictitious campaigns and fraud, a lack of Islamic financial literacy, verification of mustahik, system disruptions, and elements of gharar.

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